

REMARKS

Claims 1-12, and 14-58 are pending. Claim 13 has been cancelled without prejudice or disclaimer.

I. Claim Amendments

Claim 1 has been amended to recite the features of (now cancelled) claim 13. Accordingly, claim 13 has been cancelled, and the claims depending therefrom have been properly amended. Thus, present claim 1 is identical in scope to previous claim 13.

The claims have also been amended to clarify the subject matter being recited and to better comply with U.S. practice.

II. Restriction/Election

Applicants confirm the previous election *with traverse* of Group I, drawn to a method a manufacturing a decorative laminate, as well as to Species I-B, and II-A, apparently corresponding to claims 1, 2, 4, 10-17 and 24-55. The Office Action notes claims 3, 5-9, 18-23 and 56-58 have been withdrawn from consideration. It is Applicants' understanding that claims 3, 5-9, and 18-23 are withdrawn as being directed to a non-elected species, and claims 56-58 are withdrawn as being drawn to a non-elected invention. Although Applicants confirm the previous election made by telephone, but as the claims have been amended to depend from claim 1, and generic claim 1 is allowable over the art of record, Applicants respectfully request consideration of the additional species.

III. Allowable Subject Matter

The Office Action states claims 13-17, 24-29, 48 and 49 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, incorporating the features recited by the claims from which they depend. In response, the features recited by previous claim 13 have been added to claim 1 and the remaining claims are now directly or indirectly dependent on independent claim 1 and should therefore also be allowable.

IV. 35 USC § 103

Claims 1, 2, 4, 10-120, 30-23, 37-47 and 50-55 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over WO 02/47906 in view of Min (U.S. Patent No. 6,093,476) and WO 01/21366. Claims 33-36 stand rejected under 35 USC §103(a) as allegedly being unpatentable over WO '906, Min and WO '366 in further view of Leukel et al. (U.S. Patent No. 4,770,916).

However, in light of the amendment to claim 1 (discussed above), from which each of the other claims depend, Applicants respectfully present that this rejection is moot. Reconsideration is therefore respectfully requested.

V. Double Patenting

The Office Action asserts claims 44 and 45 recite the same subject matter. In response, claim 44 has been amended to recite the elements of claim 45, but in *Markush* group form, i.e., as alternatives. Claim 45, on the other hand, requires "each of melt-glue, heat and pressure." Therefore, the scope of claims 44 and 45 differ and double patenting is not proper for claims of different scope in a single application. Reconsideration is respectfully requested.

Claims 1, 2, 4, 10-12, 30-32, 37-47, 50-52, 54 and 55 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-12 and 13-16 of U.S. Patent No. 6,893,713 in view of Min and WO '366. Claims 33-36 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-12 and 13-16 of U.S. Patent No. 6,893,713 in view of Min and WO '366 in further view of Leukel et al.

Claims 1, 2, 4, 10-12, 30-32, 37-47, 50-52, 54 and 55 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1, 2 and 5-22 of co-pending U.S. Appl. No. 11/129,497 in view of Min and WO '366. Claims 33-36 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1, 2 and 5-22 of co-pending U.S. Appl. No. 11/129,497 in view of Min and WO '366 in further view of Leukel et al.

However, as the features of claim 13 (which claim has not been included in the obviousness-type double patenting rejections recited above) have been incorporated into these claims, Applicants again respectfully submit that these rejections are now moot. Reconsideration is requested.

Applicants additionally confirm that the present application and Sjoberg et al. (U.S. Patent No. 6,893,713) were, at the time the invention of the subject matter of the present application was made, owned or subject to an obligation of assignment to a common assignee, i.e., Pergo (Europe) AB. Thus, Sjoberg et al. is not a proper reference against the present application.

VI. Conclusion

As all rejections and objections have been overcome, Applicants respectfully request passage of this application to allowance. If any additional fee is necessary to make this paper timely and/or complete, it may be charged to the undersigned's deposit account number 19-4375.

Respectfully submitted,



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Date: July 6, 2006